

Message Text

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44

ACTION L-02

INFO OCT-01 ARA-06 EUR-12 EA-06 ISO-00 IO-10 SSO-00 NSCE-00

USIE-00 INRE-00 AGR-05 CEA-01 CIAE-00 COME-00 DODE-00

EB-07 FRB-01 H-01 INR-05 INT-05 LAB-01 NSAE-00 NSC-05

PA-01 RSC-01 AID-05 CIEP-01 SS-15 STR-01 TAR-01

TRSE-00 PRS-01 SP-02 FEAE-00 OMB-01 SWF-01 NEA-06

AF-04 OIC-02 /110 W

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O R 221749Z NOV 74

FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC IMMEDIATE 4765

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY MEXICO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY ROME

USMISSION EC BRUSSELS

USMISSION UN NEW YORK

USMISSION OECD PARIS

C O N F I D E N T I A L THE HAGUE 5694

E.O. 11652: GDS

TAGS: UNCTAD, EGEN, NL

SUBJECT: CHARTER OF ECONOMIC RIGHTS AND DUTIES (CERDS)

REF: STATE 256127

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1. DCM AND EMBOFF CALLED ON VAN GORKUM, MFA DIRECTOR

GENERAL FOR INTERNATIONAL COOPERATION, OPENING OF BUSINESS NOVEMBER 22 TO MAE DEMARCHE CALLED FOR IN PARA 4 OF REFTEL. WE EXPLAINED AND EMPHASIZED U.S. POSITION THAT NEGATIVE VOTE ON CHARTER AS A WHOLE RATHER THAN SIMPLY ON UNACCEPTABLE PARAGRPHS, WAS NECESSARY TO PROTECT RIGHTS OF DEVELOPED COUNTRIES. AVOWED OBJECTIVE OF CHARTER WAS TO ESTABLISH FRAMEWORK FOR BASIC RELATIONS BETWEEN DEVELOPING AND DEVELOPED COUNTRIES. IT WAS PRECISELY FOR THIS REASON THAT U.S. BELIEVED IT ESSENTIAL TO GET BALANCED, EQUITABLE CONCEPTS AND OPERATIONAL RATHER THAN IDOLOGICAL LANGUAGE, OTHERWISE WE WOULD HAVE NO CHOICE BUT TO VOTE AGAINST CHARTER AS A WHOLE. U.S. HOPED THAT THOSE WITH THE SAME INTEREST IN A BALANCED CHARTER, INCLUDING THE DUTCH, WULD VOTE AGAINST PRESENT UNBALANCED VERSION.

2. VAN GORKUM SAID U.S. POSITION ON CERDS WOULD BE BROUGHT TO IMMEDIATE ATTENTION OF FONMIN VAN DER STOEL, WHO FOLLOWING ISSUE PERSONALLY, AND ALSO TO ATTENTION DEVELOPMENT ASSISTANCE MINISTER PRONK.

3. VAN GORKUM SAID THAT THERE NO UNIFIED POSITION WITHIN EC-9 ON ISSUE AT MOMENT. SOME COUNTRIES SEE ISSUE IN SAME LIGHT AS DOES U.S. GON, HOWEVER, HAS NEVER BEEN SO STRONGLY OPPOSED TO CHARTER AS HAS U.S. DUTCH "WOULD HATE TO VOTE AGAINST", BUT NO FIRM POSITION HAS BEEN ARRIVED AT. VAN GORKUM INDICATED GON RELUCTANT FIRM UP VOTING POSITION UNTIL IT DEFINITE THAT CHARTER WILL COME UP FOR VOTE AND IT ABSOLUTELY CLEAR THAT G-77 WILL NO LONGER ACCEPT ANY MODIFICATION OF TEXT. AT PRESENT, DUTCH STILL CLINGING TO HOPE THAT THOSE TWO POINTS HAVE NOT BEEN REACHED. VAN GORKUM AGREED WITH U.S. THAT BEST OUTCOME WOULD BE TO AVOID EARLY VOTE AND INSTEAD TO PURSUE NEGOTIATIONS FOR A MODIFIED TEXT IN THE WORKING GROUPS.

4. IT OBVIOUS, HOWEVER, THAT THIS IS ONLY A PIOUS HOPE FOR THE GON. BARK, MFA DIRECTOR UNCTAD AFFAIRS WHO PRESENT WITH VAN GORKUM, INDICATED THAT MINISTERIAL CONFIDENTIAL

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DECISION ON VOTING POSITION MIGHT BE TAKEN TODAY AT REGULAR CABINET MEETING. (INS SUBSEQUENT TELECON WITH EMBOFF, BARK SAID HE FAIRLY CERTAIN PRONK WOULD ASK CABINET TO GIVE GENERAL VOTING GUIDANCE TO MINISTRIES DIRECTLY CONCERNED WITH PROBLEM.) MINISTRIES OF AGRICULTURE, FINANCE, AND ECONOMY WILL PARTICIPATE WITH MFA IN FIRING UP TACTICS, VOTING POSITIONS ON INDIVIDUAL PARAS, AND ON STATEMENTS IN EXPLANATION

OF VOTES. VAN GORKUM SAID THERE NO BASIC DIFFERENCES BETWEEN MINISTRIES ON DESIRABILITY OF ADOPTING A CHARTER, ALTHOUGH MOST PARAGRAPHS WHICH U.S. FINDS OBJECTIONABLE IN G-77 DRAFT ALSO CAUSE PROBLEMS FOR DUTCH MINISTRIES.

5. VAN GORKUM INDICATED HE PERSONALLY BELIEVES THAT USG HAD TAKEN TOO NEGATIVE AN APPROACH TO CERDS. WHILE U.S. POSITION IS THAT THERE ARE MAN OBJECTIONABLE FEATURES IN DRAFT, GON ONLY FINDS A FEW, AND MUCH THAT IS GOOD. REFERRING TO ENDORESEMENT OF PROGRAM OF ACTION FOR NEW INTERNATIONAL ECONOMIC ORDER AT 57TH ECOSOC, VAN GORKUM POINTED OUT THAT, ON THESE ISSUES, THERE IS A BASIC DIVERGENCE OF VIEWS BETWEEN U.S. AND GON. ANOTHER POINT ON WHICH USG AND GON DIFFER IS ON PROTECTIVE VALUE TO A STATE'S RIGHTS AND OBLIGATIONS WHILE CASTING AFFIRMATIVE VOTES ON RESOLUTION AS A WHOLE.

6. COMMENT: MFA OFFICIALS HAVE TOLD US FOR SEVERAL MONTHS NOW THAT THEY HOPE TO BE ABLE VOTE FOR REPEAT FOR CHARTER AS A WHOLE WHILE VOTING AGAINST OR ABSTAINING WITH EXPLANATIONS ON OBJECTIONABLE PARAGRAPHS. ALTHOUGH NOT DEFINITELY STATED, IT CLEAR FROM CONVERSATION WITH VAN GORKUM THAT, FOR MOMENT, THIS REMAINS GON DESIRE. IT UNLIKELY THAT, IN ABSENCE OF UNIFIED EC POSITION ON ISSUE, DUTCH COULD BE PERSUADED VOTE AGAINST CHARTER. UNLESS OTHER EC MEMBERS WEIGHT IN WITH DUTCH, THEY MAY NOT RPT NOT EVEN BE WILLING ABSTAIN. IN ABSENCE OF SUCH EC PRESSURE, IT IS QUESTIONABLE WHETHER FURTHER U.S. APPROACH AT A HIGHER LEVEL WOULD HAVE DECISIVE INFLUENCE ON DUTCH POSITION. GOULD

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